

**SPINK COUNTY COMMISSION PROCEEDINGS  
REDFIELD, SOUTH DAKOTA**

The Spink County Board of Commissioners met at 8:30 AM on Tuesday, December 29, 2009, at the Spink County Courthouse. Present were Commissioners Dave Albrecht, Jeff Albrecht, Brian Johnson, Craig Johnson and Jerry Zerbel. Chairman Dave Albrecht opened the meeting with the Pledge of Allegiance.

Lori Jo Mundstock, The Redfield Press, was also in attendance.

**ADOPT AGENDA**

Motion was made by C. Johnson, seconded by B. Johnson, to adopt the agenda with the addition of Contingency and Cash transfers and the deletion of Clyde Harr, Zell, regarding a desk quote. All members voted aye. Motion carried.

**MINUTES APPROVED**

Motion was made by J. Albrecht, seconded by C. Johnson, to approve the minutes of December 15, 2009. All members present voted aye. Motion carried.

**BUILDING PERMITS**

<b>Name</b>	<b>TWP #</b>	<b>Remarks for Notes &amp; Removals</b>
Dan McNeill	Redfield	move in bldg, basement remodel, 20x24 addition and general repairs
Gene Samelson	Redfield	24x24 bldg
Lauren Stuck, et al	Tetonka	grain bins
Kurt Schentzel	Northville	put up storage shed/shop 30x40
Doug Christensen	Jefferson	20x20 addn to shop for office and bathroom
Roald Amundson	Exline	continue with residing of home
Gary Felderman	Belmont	grain bin; possible second bin next year
Steve and Nora Kramp	Brentford	continue bp 09-08
Greg Morgan	Mellette Twp	new grain bin
Lindy Currington	Mellette City	garden shed
Dale & Belva Lacher	Conde City	shed, kitchen cabinets
Patrick Browning	Frankfort City	reshingle home
Jim Klebsch	Three Rivers	bin
Terry Hansen	Lodi	new calf shelter
Jason Hansen	Brentford	new mobile home
Dale Washnok	Beotia	48' grain bin
Merlin Kramer	Northville	continue 211-07 side sheds, garage re-roof; work on house
Wesley Wipf	Belle plaine	reshingle part of roof; insulate attic; replace 3 fix bath
Raymond Burt	Mellette City	tin roof house
Marcene Bruckner	Conde	12,000 bu bin
Proffutt LTD	Redfield Twp	new addition
David Appel	Redfield TWP	continue BP 233-07...add sunroom
Bill Troske	Turton Twp	bin & dryer
Max and Jane Hammer	Mellette TWP	continue BP 173-07...work in basement
Heather Fortin	Redfield	move in motor home; general work on home
Grant Hanson	Olean	reside home
Garrett or Heather Rahm	Turton Town	new grain floors
Greg or Cyd Rahm	Turton Town	new grain floor and stairs
Bixler Farms	Lincoln	new shop
Ernest & Toni Schnoor	Northville	continue BP 86-04 & 30-07; attach 2 MHs & remodel
David Mendel	Capitola	grain bin

Vic Fischbach, States Attorney, had reviewed the Election Systems and Software contract renewal and does not have any concerns about it.

Fischbach stated that the counter offer he made to Robert Nelson, Attorney for Avera Hospitals, was rejected. Fischbach wants to check several items before he requests a settlement decision from the Commission.

Fischbach reported that he is preparing tax deeds on at least two properties and a transfer of deed on another and will file them with the Commission when completed.

Commission discussed the Planning and Zoning Board with the States Attorney.

Jeff Haessig, Highway Superintendent, informed the Commissioners that he hasn't gotten quotes yet on any large fuel storage tanks. He stated that fuel consumption is about the same at the out based shops as with the Redfield shop.

Haessig reported that his department has worked extra hours clearing snow, but will flex them to avoid unnecessary overtime. Haessig also reported that he had spoken with the SD DOT and they verified that Beadle County had signed an agreement in 1946 making Co Rd #28 a part of their road system.

There have been several instances of landowners pushing snow across designated snowmobiling trails. Haessig stated that landowners are liable if someone is injured.

Haessig requested that Willie Rothacker, Highway Equipment Operator, be promoted to the Foreman position effective December 26, 2009 and recommended a 0.50/hr raise over the Equipment Operator salary.

#### **PROMOTION**

Motion was made by C. Johnson, seconded by B. Johnson, to promote Willie Rothacker to the Highway Foreman position effective December 26, 2009. All members voted aye. Motion carried.

Above salary will be included in the motion setting 2010 salaries.

#### **FUEL QUOTES FOR JANUARY**

Motion was made by B. Johnson, seconded by C. Johnson, to approve the following quotes:

Redfield:	E85, Ethanol and Unleaded:	18.0¢ below pump price & additional 2¢ credit with card use	Johnson
	Ethanol Bulk	2.27	McGillvrey
	#1 Diesel	2.599	Appel
	#2 Diesel	2.299	Appel
Brentford, Conde, Doland, and Northville:			
	#1 Diesel	2.69	Harvey
	#2 Diesel	2.37	Harvey
Tulare:	#1 Diesel	2.68	McGillvrey
	#2 Diesel	2.38	McGillvrey

All members voted aye. Motion carried.

Commissioner C. Johnson then discussed the energy grant which the Northeast Council of Governments is putting together. Diana Larson is compiling an application for the PHMSA grant and Johnson filed the Project Abstract, Detail, Narrative and Application Package completed by Larson and stated that, unless there are no objections or suggestions, they will be mailed in the next few days.

#### **EXPENSE REQUESTS**

Motion was made by B. Johnson, seconded by Zerbel, to approve the following expense requests:

Mike Esser, Weed & Pest Supervisor, to Commercial Pesticide Applicator Training, Aberdeen 2/4/2010;

Brandi Lambert & Theresa Esser, sprayers, to the same meeting to be held in Brookings, 2/8/2010.

All members voted aye. Motion carried.

#### **CONTRIBUTION**

Motion was made by C. Johnson, seconded by J. Albrecht, to contribute \$10,000 to the Knights of Columbus' drive to raise funds for purchasing two defibrillators and other cardiac equipment for the Spink County Ambulance. All members voted aye. Motion carried.

Kim Markley, Director of Equalization, discussed a request she had received from Coler & Colantonio, Inc., Norwell, MA for a GIS layer for one of their clients. Markley stated that local companies purchasing the layer have signed a Memo of Understanding that they will not sell the information. She added that other counties may sell, share or choose not to share their files. Commissioners did not approve the request.

Markley discussed Ag Productivity and questions that may be anticipated when assessment notices go out in February. She filed a list of past County Board adjustments.

The Commissioners then discussed the Planning and Zoning Board with States Attorney Fischbach, Markley and Jessica Avery, Planning and Zoning Administrator present.

### **RESOLUTION DESIGNATING THE SPINK COUNTY COMMISSION AS THE SPINK COUNTY PLANNING AND ZONING BOARD**

Resolution #44

Be it hereby resolved that the resolution creating the Spink County Planning and Zoning Board is hereby repealed.

Be it further resolved that the Spink County Commission be appointed to act as the Spink County Planning and Zoning Board pursuant to SDCL 11-2-2 for the purposes of initiating, effecting, and carrying out the administrative functions and duties of said board.

The County Zoning Administrator shall be an ex officio member of the Spink County Planning and Zoning Board.

This resolution shall go into effect on January 1, 2010 and shall remain in effect until repealed by the Spink County Board of County Commissioners.

A motion was made by C. Johnson, seconded by B. Johnson, that the above Resolution be adopted. Upon roll call vote Commissioners responded as follows: C. Johnson "yes", B. Johnson "yes", J. Albrecht "yes", Zerbel "yes" and D. Albrecht "yes". Motion carried.

Dated this 29th day of December, 2009, at Redfield, South Dakota.

Dave Albrecht, Chairman  
Spink County Board of Commissioners

ATTEST:

Cindy Schultz, Auditor  
Spink County, South Dakota

### **COUNTY WELFARE**

Theresa Hodges, Spink County Welfare Director, filed application #173 for prior approval of a procedure. Motion was made by C. Johnson, seconded by B. Johnson, to reject application #173 requesting prior approval of a procedure because applicant has the ability to pay. All members voted aye. Motion carried.

### **RESOLUTION TO APPROVE PLAT (#09-45)**

Be it resolved by the Board of County Commissioners of Spink County, South Dakota, that the plat of Lot A of Frankfort WWT First Addition in the South 1/2 of the SW 1/4 of Section 8, T 116 N, R 62 W of the 5th P.M., Spink County, South Dakota, which has been submitted for examination pursuant to law, is hereby approved and the County Auditor is hereby authorized and directed to endorse on such plat a copy of this Resolution and certify the same.

### **RESOLUTION TO APPROVE PLAT (#09-46)**

Be it resolved by the County Commission of Spink County, South Dakota, that the plat showing "Miles Outlot 1 located in Peterson Outlot 1, in the SW1/4 of Section 23, Township 119 North, Range 61 West of the 5th P.M., Spink County, South Dakota," having been examined is hereby approved in accordance with the provisions of SDCL of 1967, Chapter 11-3, and any amendments thereof.

### **RESOLUTION TO APPROVE PLAT (#09-47)**

It was moved by J. Albrecht, seconded by Zerbel, motion carried that the plat of "Bowar Lot 1 in the N.E.1/4 of Section 7, Township 116 North, Range 64 West of the 5th P.M., Spink County, South Dakota", as described and drawn hereon be approved and accepted in accordance with the

provisions of Chapter 11-3 of the South Dakota Codified laws and acts amendatory thereto and the Auditor hereby is instructed to endorse on such plat a copy of this resolution and to certify the same.

**RESOLUTION TO APPROVE PLAT (#09-48)**

It was moved by J. Albrecht, seconded by Zerbel, motion carried that the plat of “Tschetter Lot 3 in the S.W. 1/4 of Section 10, Township 115 North, Range 60 West of the 5th P.M., Spink County, South Dakota”, as described and drawn hereon be approved and accepted in accordance with the provisions of Chapter 11-3 of the South Dakota Codified laws and acts amendatory thereto and the Auditor hereby is instructed to endorse on such plat a copy of this resolution and to certify the same.

Dated at Redfield, South Dakota, this 29th day of December, 2009.

It was moved by J. Albrecht, seconded by Zerbel, to approve the above four plats. All members voted aye. Motion carried.

Dave Albrecht, Chairman  
Spink County Board of Commissioners

ATTEST:

Cindy Schultz, Auditor  
Spink County, South Dakota

**2010 SALARIES**

Motion was made by J. Albrecht, seconded by C. Johnson, to award a \$75/month raise, effective December 26, 2009, to all salaried employees and a 0.43/hour raise to hourly employees except for the following: Auditor shall receive a \$200/month raise; Commissioners shall receive a \$75/month raise and elected Chairman shall receive an additional \$100/month; Highway Foreman shall receive a 0.64/hour raise; Chief Dispatcher shall receive a 0.64/hour raise.

The following positions will not have salary changes: School Crossing Guards; Museum Curator until such time as the Historical Society adopts a change; temporary help.

All members voted aye. Motion carried.

**CONTINGENCY/CASH TRANSFERS**

Motion was made by J. Albrecht, seconded by B. Johnson, to approve the following Contingency Transfer:

\$4,800.00 to cover Court Appointed Attorney and Catastrophic Legal Fees

And the following Cash Transfer:

\$700.00 budgeted Cash Transfer to Domestic Abuse

**SD DEPARTMENT OF SOCIAL SERVICES AGREEMENT**

Motion was made by C. Johnson, seconded by B. Johnson, to approve renewing the agreement with the SD Department of Social Services, beginning January 1, 2010, for the Department to provide their services and compensate to the County the Federal government’s share of the reasonable cost and value of the supplies and facilities furnished by the County to maintain the Department; Agreement shall continue for such time as mutually agreeable by both parties. All members voted aye. Motion carried.

**CLAIMS ALLOWED**

Motion was made by B. Johnson, seconded by Zerbel, to approve the following claims and reports. All members voted aye. Motion carried.

**County General Fund**

Misc: Russell Battey 1012.70 court appointed attorney fees, Family Crisis Center 885.00 revenue, Michelle Gaikowski 105.40 court reporter, Grow Spink 60.43 balance of 2009 budget, Knights of Columbus 10000.00 donation for Spink Co. Ambulance, NE Mental Health 666.70 Nov. & Dec. support, Gina Rogers 618.50 court appointed attorney fees, SD Dept. of Legislative Audit 10890.00 2007-2008 audit;

Supplies and Repairs: Bank of the West 181.00, Cole Papers 774.23, Connecting Point 682.50, Gary's 2-way Radio 534.95, Hedahls 23.24, Leaf 79.24, McLeod's 75.37, Sandra McNeill 525.00, Office Equipment 1715.83, OK Tire Store 59.00, Otis Elevator 724.94, Pitney Bowes 536.76, Quill 405.56, The Redfield Press 372.40, Mark Rosenberg 20.88, Shawn Chase Ford 4874.15, Sirchie 56.40, Wells Fargo Remittance 131.73;

Travel: Commissioners: Jeff Albrecht 94.72 mileage, Brian Johnson 35.52 mileage, Dakota Central RC&D 80.00 dues, Gerald Zerbel 42.18 mileage; Director of Equalization: Sally Filipek 11.47 mileage; Extension: Becky Leonard 53.28 mileage & 9.00 registration, Mark Rosenberg 36.00 meals, 34.00 registration & 408.48 mileage; Sheriff: Les Helm 72.00 meals, SD Sheriffs Assn. 573.62 dues; VSO 88.06 mileage;

Utilities: Alltel 13.77, Steve Hanson 10.00, Midcontinent Communications 71.04, Northwestern Energy 3538.20, Qwest 55.83, Verizon 105.90;

### **Highway Department**

Construction Material: Hanlon Bros. 1201.90, Wayne Nelson 18568.12, 3-D Specialties Inc. 797.48;

Equipment Rental: Diesel Machinery 500.00;

Engineering Fees: SD DOT 7713.26;

Supplies and Repairs: Connecting Point 135.00, Crawford Trucks 1739.38, Dakota Fluid Power 346.69, G&K Services 14.00, Harvey's 5134.02, Hedahls 1427.89, JD Evans 2643.02, McGillvrey Oil 11855.29, Office Equipment 410.98, OK Tire Store 6083.12, Sioux City Foundry 5292.43, WW Tire Service 13899.21;

Utilities: Alltel 105.01, Northwestern Energy 1731.87;

### **E911**

Utilities: Venture Communications 164.78;

### **Emergency Management**

Supplies and Repairs: Connecting Point 22.50;

Travel: Steve Hanson 166.50 mileage;

Utilities: Steve Hanson 10.00.

### **REPORTS**

- YTD NACo Prescription Drug Discount Card Program
- November 2009 Court Appointed Attorney Reimbursements: \$678.68
- October 28 through December 18, 2009 Auditor's Report of Monies Received for Copies, etc: \$322.84
- Spink County General Fund Surplus Analysis effective 12/21/09

### **CORRESPONDENCE**

- SDACC notice of USDA State Offices to Host Roundtables on Rural Jobs, Economic Growth on 6/6/2010, Wahpeton, ND
- 2009 SDEMA Annual Conference agenda & roster
- SD Dept. of Revenue & Regulation notice of Spink County's 2010 annual budget approval
- NESDCAP/NESDEC newsletter
- SD Dept. Environment & Natural Resources: Shamrock Colony Revised Phosphorus-based Nutrient Management Plan
- SD Dept. Environment & Natural Resources: Hillside Colony Revised Phosphorus-based Nutrient Management Plan
- SD Secretary of Ag Bill Evan essay - Farm to Market Rds: Ownership Equal Responsibility
- Copy of letter from Auditor to Frankfort Finance Officer regarding a city assessment remaining against a property taken for tax deed.

Chairman Dave Albrecht declared the meeting adjourned at 12:00 noon. The next Commissioner meeting will be 8:30 AM, Tuesday, January 5, 2010.

Dave Albrecht, Chairman  
Spink County Board of Commissioners

ATTEST:  
Cindy Schultz, Auditor  
Spink County, South Dakota